

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Dennis M. Cavanaugh  
: :  
v. : Crim No. 05- 761  
: :  
JOSE VASQUEZ : ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Christopher J. Christie, United States Attorney for the District of New Jersey (by Andrew Carey, Assistant U.S. Attorney) and defendant Jose Vasquez (by Robert Fogelnest, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter from November 30, 2008 through January 30, 2008, to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court and that a continuance shall serve to delay a trial in this matter, and the defendant having consented to the continuance and waived such right, for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- (1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render a trial of this matter unnecessary;
- (2) Defendant consents to the continuance; and

(3) Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

WHEREFORE, IT IS on this 4 day of Dec., 2008,

ORDERED that this action be, and it hereby is, continued November 30, 2008 through January 30, 2009, defense motions, if any, are to be filed by FEB. 9, 2009, opposition to defense motions are to be filed by FEB. 23, 2009, motions shall be heard on a date to be determined by the Court and the trial shall be scheduled for a date to be determined by the Court absent any other reason to continue the proceedings; and it is further,

ORDERED that the period from November 30, 2008 through January 30, 2008 shall be excludable in computing time under the Speedy Trial Act of 1974 (as amended October 12, 1984), pursuant to Title 18, United States Code, Section 3161.



Hon. Dennis M. Cavanaugh  
United States District Judge

I hereby consent to the form and entry  
of this Order:



Andrew Carey AUSA

I, Andrew Carey, Assistant United States Attorney, state that I have been in direct contact with Robert Fogelnest, Esq., counsel for Jose Vasquez, who informed me that he consents to this continuance, and who further informed me that he is moving law offices and is currently unable to fax back a copy of his signature on this document.



Andrew Carey AUSA